

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE**

BRIAN THOMPSON,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. 2:22-CV-00060-NT
	)	
JOHNSON CONTROLS, INC.,	)	
	)	
Defendant.	)	

**JOINT MOTION TO EXTEND DISCOVERY FOR  
LIMITED PURPOSE OF DEPOSITIONS**

Defendant Johnson Controls, Inc. (“Defendant”) and Plaintiff Brian Thompson (“Plaintiff”) (collectively, the “Parties”) hereby respectfully move to modify the Court’s scheduling orders (Dkt. Nos. 6, 9) for the limited purpose of conducting depositions by fourteen (14) days, up to and including April 14, 2023. In support of this motion, the Parties state as follows:

1. On July 12, 2022, the Court issued a Scheduling Order setting the Parties’ discovery deadline as November 29, 2022. (Dkt. No. 6)
2. On November 8, 2022, the Parties filed their Joint Motion to Modify the Scheduling Order and Extend All Deadlines (“Joint Motion to Modify”), seeking in relevant part to extend the deadline to conduct discovery. (Dkt. No. 8)
3. The Court granted the Parties’ Joint Motion to Modify and extended the discovery deadline to January 30, 2023. (Dkt. No. 9)
4. On January 23, 2023, seven (7) days prior to the close of discovery, Plaintiff served Defendant with its First Set of Interrogatories and First Requests for Production and also indicated his intent to depose five (5) of Defendant’s witnesses. Plaintiff also filed a

Motion to Extend Discovery Deadline (“Plaintiff’s Motion”) on January 23, 2023. (Dkt. No. 10)

5. On January 31, 2023, the Court granted Plaintiff’s Motion and extended the discovery deadline by sixty (60) days, up to and including March 31, 2023, and further ordered that no further extensions would be allowed. (Dkt. No. 12)
6. On February 15, 2023, Plaintiff served his Notice to Take 30(b)(6) Video Deposition of Johnson Controls, Inc. (“Plaintiff’s Notice”). The non-objectionable topics in Plaintiff’s Notice will involve designating at least three (3) and up to four (4) different corporate representatives. In addition to identifying and scheduling the depositions of three to four corporate representatives, Defendant is also working to present four (4) fact witnesses for deposition and is holding March 29-30 for these depositions (which have not yet been noticed by Plaintiff).
7. Defendant will be in trial during the second week of March 2023, after which Defendant’s representative will be out of the country until April 3, 2023.
8. Because of the significant number of depositions yet to be completed, the Parties met and agree that additional time is needed to complete these depositions.
9. Accordingly, the Parties request an additional fourteen (14) days for their discovery deadline, up to and including April 14, 2023, for the limited purpose of completing the above-referenced depositions.
10. Because the Parties are requesting additional time to conduct the above-referenced depositions, the Parties request the following extensions of time:

<b>Deadline</b>	<b>Current</b>	<b>Proposed</b>
Discovery Cutoff for Depositions	March 31, 2023	April 14, 2023

L/D for Party Intending to Move for Summary Judgment to File Either (1) Joint Motion with Proposed Schedule Agreed to by All Parties and Confirmation Pre-Filing Conference would Not be Helpful, or (2) Notice of Intent to Move for Summary Judgment and Need for Pre-Filing Conference	April 7, 2023	April 21, 2023
L/D for Summary Judgment Motions	April 21, 2023	May 5, 2023

13. The Parties make this request in good faith and in continued cooperation with each other and not for purposes of delay.

**Prayer for Relief**

The Parties respectfully request that the Court grant their Joint Motion to Extend Discovery For Limited Purpose of Depositions and extend their deadline to conduct depositions by fourteen (14) days, to and including April 14, 2023.

Respectfully submitted,

/s/  
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Dated: March 27, 2023

/s/  
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**CERTIFICATE OF SERVICE**

I, Aimee B. Parsons, hereby certify that the within document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/  
Aimee B. Parsons

March 27, 2023